



## United States Department of the Interior



### BUREAU OF LAND MANAGEMENT

Schell Field Office

HC33 Box 33500 (702 N. Industrial Way)

Ely, Nevada 89301-9408

[http://www.blm.gov/nv/st/en/fo/ely\\_field\\_office.html](http://www.blm.gov/nv/st/en/fo/ely_field_office.html)

#### In Reply Refer To:

3809 (NVL0200)

NVN-091367

### DECISION RECORD

Meadow Bay Gold Corporation

HC 10, Box 15

Pioche, NV 89043

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Decision Record

DOI-BLM-NV-L020-2013-0017-EA

I have reviewed the Environmental Assessment and have made a Finding of No Significant Impact (FONSI) for Meadow Bay Gold Corporation's (Meadow Bay's) Exploratory Drilling Plan of Operations at Atlanta Mine, dated February 26, 2014. Based on that review and the record as a whole, I approve the Exploratory Drilling Operations with the applicant-committed environmental protection measures (ACEPMs) referenced in the FONSI and listed in table 2-2 in appendix B of the EA and attached to this decision. In accordance with 43 CFR §3809.803, this Decision is in full force and effective immediately.

### RATIONALE:

- 1) The proposed exploratory drilling operations are in conformance with the Ely District Record of Decision and Approved Resource Management Plan signed in August of 2008. Section 2.4 of the Environmental Assessment documents the conformance review.
- 2) The proposed exploratory drilling operations are consistent with all other federal, state, local, and tribal policies and plans to the maximum extent possible.
- 3) The approval of the proposed exploratory drilling operations meets the need of the BLM to respond to its mandate under the FLPMA to manage public lands for multiple use in a manner which recognizes the Nation's need for domestic sources of minerals from the public lands while protecting scientific, scenic, historic, archaeological, ecological, environmental, air and atmospheric, and hydrologic values.
- 4) The approval of the proposed exploratory drilling operations also meets the purpose of providing Meadow Bay with the opportunity to explore their existing mining claims on BLM lands.

## **PUBLIC INVOLVEMENT:**

As required under NEPA, the BLM solicited public comments on the Proposed Action. A public scoping letter was sent out on September 27, 2012, and comments were requested within 30 days of receipt of that letter. The mailing list can be found in the administrative record. The U.S. Fish and Wildlife Service requested two raptor surveys with a 2-mile buffer zone. The two surveys were required to be at least one month apart. As part of the EA, two raptor surveys with a 2-mile buffer zone were conducted.

The EA was published on a BLM website (available from: <https://www.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage&currentPageId=50599>) for a review period from January 2, 2014 to February 3, 2014. Five comment letters were received on the EA. The comments and responses are located in section 5.2 of the EA.

## **APPEALS:**

If you are adversely affected by this decision, you may request that the BLM Nevada State Director review this decision. If you request a State Director Review, the request must be received in the BLM Nevada State Office at 1340 Financial Boulevard, Reno, Nevada 89520-0006, no later than 30 calendar days after you receive or have been notified of this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless a stay is granted by the State Director. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the State Director does not make a decision on your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the BLM Nevada State Office to determine when the BLM received the request for State Director Review. You have 30 days from the end of the 21-day period in which to file your Notice of Appeal with this office at HC33 Box 33500, Ely, Nevada 89301-9408, which we will forward to IBLA.

If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR 3809.801(a)(1). Your Notice of Appeal must be filed in this office at HC33 Box 33500, Ely, Nevada 89301-9408 within 30 days from receipt of this decision. As the appellant you have the burden of showing that the decision appealed from is in error. Enclosed is BLM Form 1842-1 that contains information on taking appeals to the IBLA.

This decision will remain in effect while the IBLA reviews the case, unless a stay is granted by the IBLA. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

### **Request for a Stay**

If you wish to file a petition pursuant to regulations 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by Interior Board of Land Appeals (IBLA), the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this notice of appeal and petition for a stay must also be submitted to each party named in the decision and to the IBLA and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

### **Standards for Obtaining a Stay**

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal must show sufficient justification based on the following standards:

1. The relative harm to parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

**Approved by:**



Paul E. Podborny  
Field Manager  
Schell Field Office

3/19/14  
Date